



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 12, 1998

Mr. Dennis P. Duffy
General Counsel
University of Houston System
E. Cullen Building, Room 212
Houston, Texas 77204-2162

OR98-2673

Dear Mr. Duffy:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 119749.

The University of Houston-Downtown (the "university") received a request for all of the faculty's home mailing addresses. You claim that the requested information is excepted from disclosure under section 552.117 of the Government Code. We have considered the exception you claim.

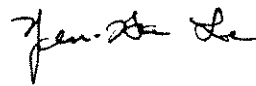
Section 552.117 of the Government Code excepts from required public disclosure the home addresses, telephone numbers, social security numbers, or information revealing whether a public employee has family members of public employees who request that this information be kept confidential under section 552.024. Therefore, section 552.117 requires you to withhold this information if a current or former employee or official requested that this information be kept confidential under section 552.024. *See* Open Records Decision Nos. 622 (1994), 455 (1987). You may not, however, withhold this information of a current or former employee who made the request for confidentiality under section 552.024 after this request for information was made. Whether a particular piece of information is public must be determined at the time the request for it is made. Open Records Decision No. 530 at 5 (1989).

You inform us that "of the one hundred seventy-eight (178) faculty members at [the university], ninety-two (92) have executed authorization forms requesting that their personal data information not be accessed by the general public." Thus, you must withhold the requested home addresses of those ninety-two faculty members who have elected to deny public access to their home addresses. We agree with your statement that you must release

the home mailing addresses of any faculty member who failed to make an election under section 552.024 prior to your receipt of the request for information.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/nc

Ref.: ID# 119749

cc: Ms. Shirley Goldsmith
Texas Faculty Association
6021 Westcreek Drive
Fort Worth, Texas 76133
(w/o enclosures)